

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

UNITED FOOD & COMMERCIAL
WORKERS LOCALS 951, 588, 7, 1036,
576 (Respondents)

Case 16-CB-3850

and

VARIOUS INDIVIDUALS
(Charging Parties)

OPPOSITION TO "MOTION TO RESCIND FEBRUARY 17, 1998 ADMONITION"

On February 17, 1998, Mr. David Rosenfeld was admonished by the Board. The reasons for that admonition are self-evident. Mr. Rosenfeld has now filed his second "Motion to Rescind February 17, 1998 Admonition." His duplicative Motion should be denied for the same reasons the prior Motion was denied by the Board in 2012.

A copy of our prior Opposition is attached hereto and is incorporated by reference.

CONCLUSION

The second "Motion to Rescind February 17, 1998 Admonition" should be denied.

Respectfully submitted,



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Attorney for Charging Parties

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposition was deposited in the U.S. Mail, first class postage prepaid, addressed to:

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this 23th day of September, 2014.


Glenn M. Taubman

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

UNITED FOOD & COMMERCIAL
WORKERS LOCALS 951, 588, 7, 1036,
576 (Respondents)

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VARIOUS INDIVIDUALS
(Charging Parties)

OPPOSITION TO “MOTION TO RESCIND FEBRUARY 17, 1998 ADMONITION”

On February 17, 1998, Mr. David Rosenfeld was admonished by the Board. (Copy attached). The reasons for that admonition are self-evident.

In his “Motion to Rescind February 17, 1998 Admonition,” Mr. Rosenfeld asserts that in the thirteen (13) years since the Board’s admonition he “has not used such statements as the ‘National Right to Shirk Legal Foundation’ or any other variation of that in filing with the Board.”

However, on June 13, 2007, Mr. Rosenfeld filed a ULP charge as attorney for SEIU Local 790 in Case 20-CB-12840 which listed the “National Right to Shirk Legal Defense Fund and Committee” as the union representative to contact. (Copy attached). The Board should be aware of this filing as it considers Mr. Rosenfeld’s “Motion to Rescind” and the veracity of the assertions contained therein.¹ See also Advice Memo in Case 20-CA-33673. (Copy attached). The “Motion to Rescind” should be denied.

¹ It should also be noted that Mr. Rosenfeld continues to mis-address legal communications to the undersigned counsel, by failing to use the name of counsel’s employer – which is a proper part of the undersigned counsel’s mailing address – on the service of such legal documents. (See Mr. Rosenfeld’s certificate of service for the “Motion to Rescind February 17, 1998 Admonition;” see also the envelope in which the “Motion to Rescind” was mailed. A copy of the envelope used by Mr. Rosenfeld is attached hereto).

CONCLUSION

The “Motion to Rescind February 17, 1998 Admonition” should be summarily denied.

Respectfully submitted,

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this 13th day of July, 2011.

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